

10/535760

CC14 Rec' CT/PTO 20 MAY 2005

INTERNATIONAL PRELIMINARY EXAMINATION REPORT – SUPPLEMENT

Excerpt Translation

Concerning Point V

**Substantiated Finding Regarding Novelty, Inventive Step and Commercial Utility;
Documents and Explanations Supporting this Finding**

Please refer to the following document:

D2: DE 196 38 940 A (VETTER & CO. APOTHEKER) April 2, 1998 (1998-04-02)

1. Claims 1-5

- 1.1 Document D2 is considered to be the closest prior art to the subject matter of claim 1. It discloses (see, for example, column 3, line 28, to column 4, line 10) (the indications given in parentheses refer to this document):

Prefilled syringe for medical purposes with a syringe barrel (1) enclosing an inner space, with a syringe plunger (3) displaceable by a plunger rod (2) provided with an outer thread (10), with an end plug (5) closing off the cannula end of the syringe barrel (1), said end plug having a through-channel (6) closed off by a membrane (7), with a finger support (11) disposed at the end of the syringe barrel (1) opposite the end plug (5) and having a through-opening for the plunger rod (2), and with a thread system cooperating with the plunger rod (2) and with the finger support (11) and which comprises a thread sleeve having an inner thread (59) (see *column 4, lines 1-3*) that cooperates with an outer thread (10) on the plunger rod (2).

- 1.2 The subject matter of claim 1 therefore differs from the known prefilled syringe in that a thread sleeve of the thread system is detachably connected with the finger support and together with the plunger rod can be displaced into the inner space.

The subject matter of claim 1 is therefore new [Article 33(2) PCT].

The **objective to be reached** with the present invention can be seen as providing a prefilled syringe wherein the not exactly reproducible point in time of the destruction of the membrane remains without effect on the use of the syringe.

The **solution** proposed in claim 1 of the present application is based on an inventive step for the following reasons [Article 33(3) PCT]:

By turning the threaded plunger rod relative to a finger support fitted with a thread sleeve, it should be possible to generate pressure in the inner space of the syringe. This is possible only when the force acting axially on the plunger rod is reliably transmitted to the finger support. The detachable connection between the thread sleeve and the finger support proposed in this patent application, however, functionally opposes such a requirement.

With the aid of such a thread sleeve, however, to deliver the contents of the syringe barrel, the syringe plunger together with the thread sleeve can be displaced into the inside of the syringe at any time and thus independently of the often variable point in time at which the membrane is destroyed.

Claims 2-4 depend on claim 1 and thus also meet the requirements of PCT concerning novelty and the inventive step.

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PCT/EP 03/12924
Arzneimittel GmbH Apotheker Vetter & Co....

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25322 WO GI-fr

New Claim 1

1. Prefilled syringe for medical purposes with a syringe barrel (3) enclosing an inner space (5), with a syringe plunger (9) disposed therein and displaceable with a plunger rod (11) provided with an outer thread (29), with an end plug (15) closing off the cannula end of the syringe barrel (3), said end plug having a through-channel (17) closed off by a membrane (19), with a finger support (13) disposed on the end of the syringe barrel (3) opposite the end plug (15) and provided with a through-opening (49) for the plunger rod (11), and with a thread system (25) that cooperates with the plunger rod (11) and with the finger support (13) and which comprises a thread sleeve (27) provided with an internal thread (59) that cooperates with the outer thread (29) on the plunger rod (11), **characterized in that** the thread sleeve (27) is detachably connected with the finger support (13) and together with the plunger rod (11) can be displaced into the inner space (5).

AMENDED SHEET
IPEA/EP